

Mr. García Moritán (Argentina) (spoke in Spanish): At the outset, I wish to thank Uruguay and congratulate Foreign Minister Nin Novoa on organizing this debate. I would like to thank the Secretary-General, the Vice-President of the International Committee of the Red Cross and the Deputy Executive Director of Human Rights Watch for their briefings.

We thank the Secretary-General for his first report on this subject (S/2017/414) and we value his recommendations and description of the three protection priorities. Again, we must regret the fact that, according to this report, civilians continue to constitute the majority of victims of conflicts. The lack of distinction between combatants and civilians results in civilians being killed, wounded and displaced, and in situations in which there are serious impediments to and even attacks on access to humanitarian assistance.

It is therefore necessary for the Security Council to remain committed to the protection of civilians in armed conflict through the promotion of full respect for international law, in particular respect for international humanitarian law, international human rights and refugee law, as well as the fight against impunity. In this context, it is imperative to recall the obligations arising from the four Geneva Conventions of 1949 and their 1977 Additional Protocols, the Hague Conventions of 1899 and 1907, human rights and refugee law and customary international law.

It is also necessary to continue to include and strengthen civil protection activities in the mandates of United Nations field missions. In that regard and in line with the recommendation of the report of the High-level Independent Panel on Peace Operations (S/2015/446), which was also recognized in the reports of the Special Committee on Peacekeeping Operations, we understand that the protection of civilians in peacekeeping operations is an integrated effort across the mission which requires, as a first essential measure, close cooperation between military, police and civilian components, in coordination with local Governments and communities and humanitarian organizations in the field.

With regard to humanitarian assistance, parties to a conflict must make every effort to ensure effective and timely access to humanitarian action, including cargo and materials. Such assistance enjoys special protection under international humanitarian law, and it is therefore a matter of concern that, in many situations, there are obstacles to access to humanitarian assistance or in some cases access is even denied.

Under international humanitarian law and the Security Council's resolutions, attacks of any kind on civilians, schools, cultural property and places of worship, as well as obstructing access to humanitarian assistance, constitute a violation of international law. We regret that, one year after the adoption of resolution 2286 (2016), we must reiterate that medical and hospital personnel cannot be targeted, and we condemn the numerous cases in which this has occurred. We also express our gratitude and support for the recommendation of the Secretary-General to accede to the Safe Schools Declaration, in support of which my country had the honour of organizing the second international conference in March in Buenos Aires.

The Security Council must remain committed to the protection of civilians in armed conflict, including by considering particular situations, as it has done for children, women or journalists; continue to promote respect for international law; and put an end to impunity for perpetrators of grave violations against civilians. In this regard, Argentina believes that there is a preventive role for accountability mechanisms. Impartial mechanisms are essential to investigating violations of international humanitarian law and human rights. In this connection, I would highlight the work of the International Humanitarian Fact-Finding Commission provided for in Protocol I of the Geneva Conventions of 1949.

Also, with regard to the need to strengthen accountability for perpetrators of heinous crimes, Argentina wishes to emphasize the role of the International Criminal Court. In particular, we recall that, according to its Statute, the Court has jurisdiction over attacks on medical personnel, hospitals and places where the sick and injured are assembled, and on medical buildings, equipment, units and means of transport. States parties to the Rome Statute need to adopt appropriate standards to that end, and the cooperation of all States with the Court is essential.

The existing legal framework for the protection of civilians should be translated into concrete results on the ground. The Council should strengthen its efforts to explore how best to do so.